



Docket No.: M4065.0983/P983
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gregory M. Chapman

Application No.: 10/796,115

Confirmation No.: 2490

Filed: March 10, 2004

Art Unit: 2811

For: SUPPORT FRAME FOR SEMICONDUCTOR
PACKAGES

Examiner: Thien F. Tran

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction and election of species requirement set forth in the Office Action dated February 8, 2005 (Paper No.02022005), Applicant hereby provisionally elects Group I (including claims 1-41) without traverse. Applicant provisionally elects species 1 represented by Figures 2A-2C, with traverse; at least claims 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 40, and 41 are readable on the elected species.

M.P.E.P. § 803 directs as follows: "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." The directive should be followed in this case. The Office Action fails to provide a *prima facie* basis for the election of species requirement, i.e., it does not explain that the inventions have a separate classification, or separate status in the prior art, or a different field of

search as defined in M.P.E.P. § 808.02. *See* M.P.E.P. § 803 (Guidelines). Thus, claims 1-41 of the application can be examined together "without serious burden."

On the other hand, it would be unduly burdensome to require the Applicant to pursue three additional applications directed exclusively to claims 4, 22, and 38; claims 5, 23, and 39; and claims 1, 19, and 35 (in some form) in order to pursue claims 1-41, all of which are closely related and/or classified in the same class and subclass.

Dated: February 22, 2005

Respectfully submitted,

By 

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